

§ 32.49

50 CFR Ch. I (10–1–10 Edition)

regulations subject to the following conditions:

1. You may only use portable blinds. You must remove all blinds, decoys, shell casings, and other personal equipment and refuse from the refuge by legal sunset (see §§ 27.93 and 27.94 of this chapter).

2. You must wear in a conspicuous manner on the outermost layer of the head, chest, and back a minimum of 400 square inches (2,600 cm²) of hunter-orange clothing or material, except when hunting waterfowl from a blind or boat or over waterfowl decoys.

3. We allow the use of retrieving dogs but dogs must be under voice command at all times (see § 26.21 of this chapter).

4. We allow hunting during the hours stipulated under the State's hunting regulations but no longer than from ½ hour before legal sunrise to ½ hour after legal sunset. We prohibit night hunting. You must unload all firearms (see § 27.42 of this chapter) outside of legal hunting hours.

5. We prohibit all-terrain vehicles (ATV's or OHV's).

B. Upland Game Hunting. We allow hunting of coyote, fox, raccoon, woodchuck, red squirrel, eastern gray squirrel, porcupine, skunk, American crow, snowshoe hare, ring-necked pheasant, and ruffed grouse on the Pondicherry Division of the refuge in accordance with State regulations subject to the following conditions:

1. You must wear in a conspicuous manner on the outermost layer of the head, chest, and back, a minimum of 400 square inches (2,600 cm²) of hunter-orange clothing or material.

2. Conditions A3, A4, and A5 apply.

3. We allow hunting of snowshoe hare and coyote with dogs from October 1 to March 15. You may hunt with trailing dogs on the refuge subject to the following conditions:

- i. We will only allow dog training outside the established hunting seasons under a Special Use Permit issued by the refuge manager.

- ii. We allow a maximum of four dogs per hunter.

- iii. You must pick up all dogs the same day you release them (see § 26.21(b) of this chapter).

C. Big Game Hunting. We allow hunting of white-tailed deer, moose, black bear, and wild turkey on the Pondicherry Division of the refuge in accordance with State regulations subject to the following conditions:

1. We allow bear hunting with dogs during the established State hound season. Hunting with trailing dogs on the refuge will be subject to the following conditions:

- i. We allow a maximum of four dogs per hunter.

- ii. You must pick up all dogs the same day you release them (see § 26.21(b) of this chapter).

2. We prohibit the use of bait (see § 32.2(h)).

3. We allow temporary tree stands and blinds, but you must remove them (see §§ 27.93 and 27.94 of this chapter) by the end of the season. Your name and address must be clearly visible on the tree stand. We prohibit nails, screws, or screw-in climbing pegs to build or access a stand or blind (See § 32.2(i)).

4. You must wear in a conspicuous manner on the outermost layer of the head, chest, and back a minimum of 400 square inches (2,600 cm²) of hunter-orange clothing or material, except when hunting turkey or while engaged in archery hunting.

5. Conditions A4 and A5 apply.

6. We allow prehunt scouting of the refuge; however, we prohibit firearms during prehunt scouting.

7. We will only allow dog training outside the established hunting seasons under a Special Use Permit issued by the Refuge Manager.

D. Sport Fishing. [Reserved]

[65 FR 30786, May 12, 2000, as amended at 65 FR 56405, Sept. 18, 2000; 69 FR 54362, 54430, Sept. 8, 2004; 70 FR 54183, Sept. 13, 2005; 73 FR 33192, June 11, 2008; 74 FR 45693, Sept. 3, 2009]

§ 32.49 New Jersey.

The following refuge units have been opened to hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

CAPE MAY NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of waterfowl, coot, moorhen, rail, common snipe, and woodcock in accordance with State regulations subject to the following conditions:

1. We only allow hunting on those refuge tracts located west of Route 47 in the Delaware Bay Division and on those tracts north of Route 550 in the Great Cedar Swamp Division. We prohibit hunting on the Two Mile Beach Unit.

2. While hunting migratory game birds, except waterfowl, you must wear in a visible manner on your head, chest, and back a minimum of 400 square inches (2,600 cm²) of solid-colored, hunter-orange clothing or material.

3. You must remove all hunting blind materials, boats, and decoys (see § 27.93 of this chapter) at the end of each hunting day. We prohibit permanent or pit blinds.

4. The common snipe season on the refuge begins with the start of the State early woodcock south zone season and continues through the end of the State common snipe season.

5. You may only possess approved nontoxic shot while in the field (see § 32.2(k)).

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer in accordance with State

regulations subject to the following conditions:

1. We prohibit hunting on the following areas:
 - i. The posted "Closed Area" of Tract 200 in the Delaware Bay Division;
 - ii. The posted "Closed Area" in Tract 334 in the Delaware Bay Division; and
 - iii. The Two Mile Beach Unit.
2. During the firearms big game seasons, you must wear, in a visible manner on head, chest, and back, a minimum of 400 square inches (2,600 cm²) of solid-colored, hunter-orange clothing or material.
- D. Sport Fishing.* We allow sport fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:
 1. We allow fishing from 1 hour before legal sunrise to 1 hour after legal sunset.
 2. We allow fishing only along beach areas of the Two Mile Beach Unit.
 3. The Atlantic Ocean beach is closed annually to all access, including fishing, between April 1 and September 30.
 4. We prohibit commercial fishing, crabbing, and clamming on refuge lands.
 5. We prohibit fishing or possession of conchs or shellfish on refuge lands.
 6. We prohibit dogs on the Two Mile Beach Unit.
 7. We prohibit unauthorized vehicles, including all-terrain vehicles (ATVs), on any portion of the Two Mile Beach Unit.
 8. We prohibit sunbathing on refuge lands.
 9. We prohibit access to swimming or surfing in the Atlantic Ocean.

EDWIN B. FORSYTHE NATIONAL WILDLIFE
REFUGE

A. Migratory Game Bird Hunting. We allow hunting of waterfowl, coot, moorhen, and rail on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. You must remove all hunting blind materials, boats, and decoys (see § 27.93 of this chapter) at the end of each hunting day. We prohibit permanent or pit blinds.
2. You may use trained dogs for the retrieval of authorized game birds (see § 26.21(b) of this chapter).
3. You may possess a maximum of 25 approved nontoxic shotshells per day in all hunting units of the Barnegat Division and a maximum of 50 approved nontoxic shotshells per day in Unit 1 of the Brigantine Division (see § 32.2(k)).
4. In Hunting Unit B of the Barnegat Division, we restrict hunting to designated sites, with each site limited to one party of hunters.
5. In Hunting Units B, D, E, and F of the Barnegat Division, we require a minimum of six decoys, and we prohibit jump shooting.
6. Access is by boat only in all Units of the Barnegat Division except Unit A South and

Unit F. You may access these units by foot or boat. Access is by boat only in all Units of the Brigantine Division.

7. You may not enter hunt Units before 4 a.m.

8. No person including, but not limited to, a guide, guide service, outfitter, club, or other organization, will provide assistance, services, or equipment on the refuge to any other person for compensation unless such guide, guide service, outfitter, club, or organization has obtained a Special Use Permit from the refuge for a fee.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer in New Jersey Deer Management Zones 56, 57, and 58 in accordance with State regulations subject to the following conditions:

1. We require persons hunting on the refuge for the first time to attend one of the four refuge-specific hunter-orientation sessions conducted during the fall.
2. We require a State permit for the appropriate State Deer Management Zone. You must have this permit stamped and validated in person at the Brigantine or Barnegat office. Hunters will receive maps of the refuge-specific zones upon validation.
3. Hunters may enter the refuge no earlier than 2 hours before shooting time and must leave no later than 1 hour after the end of shooting time. Refuge hunting hours are consistent with State hunting hours.
4. During firearm big game season, hunters must wear in a visible manner on head, chest, and back a minimum of 400 square inches (2,600 cm²) of solid-colored, hunter-orange clothing or material.
5. You may scout on the 2 Sundays prior to the opening day of your respective zone permit.

D. Sport Fishing. We allow fishing at the Holgate Unit, Little Beach Island, Graveling Point, Lily Lake, and the posted fishing areas along the south side of Parkertown Dock Road, North side of Cedar Run Dock Road, end of Stafford Avenue, and the middle branch of the Forked River in accordance with State regulations subject to the following conditions:

1. We close the Holgate unit and Little Beach Island during the migratory bird nesting season. We may extend the closure of the bay side portion of the Holgate Unit through October.
2. We require a Special Use Permit to fish from Little Beach Island. You may obtain permits from the refuge headquarters.
3. We only allow car-top-type launches at Lily Lake. There is no boat ramp.
4. We prohibit use of internal combustion engines on Lily Lake.
5. We will close the Forked River fishing area during zone 58 big game hunting season.
6. We will open Forked River and Lily Lake from legal sunrise until legal sunset.

§ 32.49

7. We prohibit fishing, clamming, and crabbing from any waters within tract 122X, locally known as the AT&T properties. We close this tract to all public use.

GREAT SWAMP NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require a State permit for the appropriate New Jersey Deer Management Zone.

2. In addition to the State permit, we require a Deer Hunting Permit (along with a fee) issued by the refuge. This permit must be stamped for validation.

3. We require refuge hunters to pass a written examination before allowing them to hunt on the refuge.

4. Hunters must wear in a visible manner on head, chest, and back a minimum of 400 square inches (2,600 cm²) of solid-colored hunter-orange clothing or material.

5. Hunters must be in possession of refuge and State hunting permits at all times while hunting on the refuge.

6. Refuge hunting regulations, as listed in the "Great Swamp National Wildlife Refuge Public Deer Hunt Map," and found in the examination, will be in effect.

D. Sport Fishing. [Reserved]

SUPAWNA MEADOWS NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of geese and ducks on designated areas of the refuge during designated refuge seasons subject to the following conditions:

1. We allow loaded and uncased firearms in an unanchored boat only when retrieving crippled birds.

2. You must remove all hunting blind materials, boats, and decoys following each day's hunt. We do not allow permanent blinds.

3. You may possess only approved nontoxic shot while in the field.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow only bow hunting on the refuge.

2. We require a State permit for the appropriate State Deer Management Zone.

D. Sport Fishing. We allow fishing and crabbing on the refuge in designated areas subject to the following conditions:

1. We prohibit the taking of frogs, salamanders, and turtles from all nontidal waters and refuge lands.

2. We prohibit fishing in designated nontidal waters from sunset to sunrise.

50 CFR Ch. I (10–1–10 Edition)

3. We prohibit bow fishing in nontidal waters.

WALLKILL RIVER NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of all migratory bird species on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. You must possess and carry a signed refuge hunt permit at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

2. We issue one companion permit at no charge to each hunter. We allow companions to observe and call, but they cannot shoot a firearm or bow. Companion and hunters must set up in the same location.

3. We have seven hunting areas on the refuge. We allow migratory bird hunting in Areas A, D, E, and G. We close Areas C and F to migratory bird hunting. We close Area B to migratory bird hunting except we open 119 Owens Station Road to State-licensed disabled hunters. We provide maps with the refuge permit (you must possess and carry) that show these areas in detail.

4. We provide you with hunt parking areas and issue parking permits that you must clearly display in your vehicle. Hunters who park on the refuge must park in identified hunt parking areas.

5. You must wear, in a visible manner, a minimum of 400 square inches (2,600 cm²) of solid-color, hunter-orange clothing or material on the head, chest, and back, except when hunting duck and goose.

6. You may only possess approved nontoxic shotgun shells (see § 32.2(k)) in quantities of 25 or less daily.

7. We prohibit use or erection of permanent or pit blinds. You must remove all hunting blind material, boats, and decoys (see § 27.93 of this chapter) from the refuge at the end of each hunting day.

8. We prohibit the use of all terrain vehicles (ATVs) on the refuge (see § 27.31(f) of this chapter), except if you have a State of New Jersey—disabled hunting license, have received a disabled hunting permit from the refuge, have a certificate of ATV safety class completion, and are hunting in the disabled hunter area located at 119 Owens Station Road.

9. We allow prehunt scouting, and we allow the use of dogs while hunting. However, we prohibit dogs during prehunt scouting.

10. We limit the number of dogs per hunting party to no more than two dogs.

11. We allow hunters to enter the refuge 2 hours before shooting time, and they must leave no later than 2 hours after the end of shooting time.

12. We prohibit the hunting of crows on the refuge.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A2, A4, A8, A9, and A11 apply.

2. We have seven hunting areas on the refuge. We allow white-tailed deer and turkey hunting in Areas A, D, E, F, and G. Area B is open for big game hunting east of the abandoned railroad bed. Also in Area B, we only allow State-licensed, disabled hunters to hunt at 119 Owens Station Road. We close Area C to big game hunting. We provide maps with the refuge permit (you must possess and carry) that show these areas in detail.

3. We require firearms hunters to wear, in a visible manner, a minimum of 400 square inches (2,600 cm²) of solid-color, hunter-orange clothing or material on the head, chest, and back. Bow hunters must meet the same requirements when we open the firearm season. We do not require turkey hunters to wear orange at any time.

4. You must remove all stands and other hunting material (see §27.93 of this chapter) from the refuge at the end of each day.

D. Sport Fishing. We allow fishing in designated sections of the refuge in both New York and New Jersey in accordance with State regulations subject to the following conditions:

1. We allow fishing in and along the banks of the Wallkill River and in the pond at refuge headquarters.

2. We require that anglers park in designated parking areas to access the Wallkill River through the refuge.

3. You may launch canoes, kayaks, or small boats at designated river access locations.

4. We allow fishing from legal sunrise to legal sunset.

5. We prohibit commercial fishing on the refuge.

6. We prohibit the taking of frog and turtle (see §27.21 of this chapter).

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29075, May 18, 1993; 59 FR 6686, Feb. 11, 1994; 59 FR 55187, Nov. 3, 1994; 60 FR 52868, Oct. 11, 1995; 60 FR 62044, Dec. 4, 1995; 61 FR 46397, Sept. 3, 1996; 62 FR 47380, Sept. 9, 1997; 63 FR 46919, Sept. 3, 1998; 65 FR 30787, May 12, 2000; 65 FR 56406, Sept. 18, 2000; 66 FR 46360, Sept. 4, 2001; 69 FR 54362, 54432, Sept. 8, 2004; 73 FR 33192, June 11, 2008; 74 FR 45693, Sept. 3, 2009]

§32.50 New Mexico.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

BITTER LAKE NATIONAL WILDLIFE REFUGE

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, mourning dove, and sandhill crane on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. On the North Tract (including Salt Creek Wilderness Area and the portion of the refuge located north of U.S. Highway 70) all hunting must be in accordance with State seasons and regulations. On the Middle Tract (the portion of the refuge located between U.S. Highway 70 and U.S. Highway 380), we restrict hunting to goose, duck, sandhill crane, and American coot (no dove):

i. In the designated public hunting area;

ii. In the southern portion of the Tract that never approaches closer than 100 yards (90 m) to the public auto tour route;

iii. In the southern portion of the Tract only, we limit hunting to Tuesdays, Thursdays, and Saturdays during the period when the State seasons for that area are open simultaneously for most of these species;

iv. All hunting must cease at 1 p.m. (local time) on each hunt day; and

v. On the South Tract (the portion of the refuge located south of U.S. Highway 380), we allow hunting only during Special hunts (youth hunters age 17 and younger and/or physically impaired) as per State seasons and regulations.

2. You may only possess approved nontoxic shot while in the field (see §32.2(k)).

3. We prohibit pit or permanent blinds and require daily removal of all waterfowl decoys and all temporary blinds/stands (see §27.93 of this chapter).

4. Hunters must directly attend all personal property at all times (see §27.93 of this chapter).

5. We allow unleashed hunting/retrieving dogs on the refuge when hunters are legally present in areas where we allow hunters, only if the dogs are under the immediate control of hunters at all times (see §26.21(b) of this chapter), and only to pursue species legally in season at that time.

6. We prohibit hunters and their dogs from entering closed areas for retrieval of game.

7. We do not require refuge or other special hunt permits other than those required by the State (e.g., sandhill crane permits).

B. Upland Game Hunting. We allow hunting of pheasant, quail, cottontail, and jack rabbit on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. On the North Tract (including Salt Creek Wilderness Area and the portion of the refuge located north of U.S. Highway 70), all hunting must be in accordance with State seasons and regulations. On the Middle Tract (the portion of the refuge located between U.S. Highway 70 and U.S. Highway 380), we only allow pheasant hunting and restrict